

SECOND REGULAR SESSION

HOUSE BILL NO. 1771

98TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE DOGAN.

4999H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 115.351, RSMo, and to enact in lieu thereof one new section relating to political party candidates.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 115.351, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 115.351, to read as follows:

115.351. [No person who files as a party candidate for nomination or election to an office shall, without withdrawing, file as another party's candidate or an independent candidate for nomination or election to the office for the same term.] **1. A person who files as a party candidate for nomination or election to an office may file as a primary candidate for more than one political party and may appear on the general election ballot as a candidate for more than one political party if allowed to file under subsection 2 of this section, but shall not file as an independent candidate unless such person has withdrawn all political party filings for the office.** No person who files as an independent candidate for election to an office shall, without withdrawing, file as a party candidate for nomination or election to the office for the same term. No person shall file for one office and, without withdrawing, file for another office to be filled at the same election. A person who files a request to be included on the presidential primary ballot is not prohibited by this section from filing or appearing on any ballot as a party candidate for nomination to another office. Receipt by the secretary of state of proper certification of nomination pursuant to subsection 1 of section 115.399 constitutes withdrawal by operation of law pursuant to subsection 1 of section 115.359 of any presidential or vice presidential nominee from any other office for which such nominee is a candidate at the same election. Any person violating any provision of this section shall be disqualified from running

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18 for nomination or election to any office at the primary and general election next succeeding the
19 violation.

20 **2. This section shall not be interpreted to require any new or established political**
21 **party to allow the nomination or election of a primary candidate who has filed for**
22 **nomination or election to office as a primary candidate for another political party. A**
23 **political party may choose whether to allow fusion tickets by bylaws or other rules and**
24 **practices not inconsistent with this chapter.**

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